

030904
22853 U.S.PTO

22783 U.S.PTO

Atty. Dkt. No. 072827-0372

22857 U.S.PTO
10/797355

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22857 U.S.PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan L. Mueller, et al.

Title: Compounds Active at a Novel Site on Receptor-Operated Calcium Channels Useful for Treatment of Neurological Disorders and Diseases

Prior Appl. No.: 09/825,373

Prior Appl.
Filing Date: April 2, 2001

Examiner: TBA

Art Unit: TBA

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Mail Stop PATENT APPLICATION, PO Box 1450, Alexandria, Virginia 22313-1450.	
EL 990324/65 US	3-9-04
(Express Mail Label Number)	(Date of Deposit)
<u>Irene Betke</u> (Printed Name)	
<u>Irene Betke</u> (Signature)	

CONTINUING PATENT APPLICATION
TRANSMITTAL LETTER

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

Continuation Division Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

- [X] Specification, Claim(s), and Abstract (269 pages).
- [] Formal drawings (0 sheets, Figures 0).
- [X] Declaration and Power of Attorney dated January 1998 (2 pages).
- [X] Declaration and Power of Attorney dated September 1998 (2 pages).
- [X] Assignment of the invention to NPS Pharmaceuticals, Inc.(3 pages)
- [X] Assignment Recordation Cover Sheet (1 page)
- [X] Small Entity statement (1 page)
- [X] Information Disclosure Statement and Form 1449 filed 2/5/99 (11 pages).
- [X] Information Statement and Form 1449 filed 8/13/99 (4 pages).
- [] Preliminary Amendment (2 pages)
- [X] Application Data Sheet (37 CFR 1.76) (4 pages)

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	1	- 20	= 0	X \$18.00	= \$0.00
Independents:	1	- 3	= 0	X \$86.00	= \$0.00
If any Multiple Dependent Claim(s) present:			+ \$290.00	= \$0.00	
			SUBTOTAL:	= \$770.00	
[X]	Small Entity Fees Apply (subtract ½ of above):			= \$385.00	
	TOTAL FILING FEE:			= \$385.00	

- [X] A check in the amount of \$385.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any

overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date March 9, 2004

By Richard San Pietro

FOLEY & LARDNER
Customer Number: 33588
Telephone: (858) 847-6717
Facsimile: (858) 792-6773

Richard San Pietro
Attorney for Applicant
Registration No. 45,071